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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/212,657	12/15/1998	DAE-GYU MOON	8733D-6890	8157

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EXAMINER

NGUYEN, DUNG T

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/212,657

Applicant(s)

MOON, DAE-GYU

Examiner

Dung Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04/23/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Applicant's amendment dated 04/23/2004 has been received and entered. By the amendment, claims 1-26 are pending in the application.

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-2, 7, 9-10 and 23-24 stand rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's admitted prior art (APA), figure 1C, as stated in the final office action dated 04/24/2001.

The above claims are anticipated by APA's figure 1C, which disclose an LCD device comprising:

- . a substrate (100) having at least first (corresponding to pixel array), second (corresponding to driving circuit), and third (corresponding to controller and CPU circuit) regions;
- . a pixel array formed directly on the substrate as claimed;
- . a driver directly on the substrate as claimed;
- . a control unit directly on substrate as claimed.

It should be noted that the method limitations in the above such claims are not germane to the issue of patentability of the device itself. Therefore, those limitations have not been given patentable weight.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 3-6, 8, 11-18, 21-22 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (APA), figures 1C, in view of Funada et al., US Patent No. 5,696,388, as stated in the final office action dated 04/24/2001.

5. Claims 19-20 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (APA), figures 1C, in view of APA, figure 1A, as stated in the final office action dated 04/24/2001.

Those above claims depend, either directly or indirectly, from claims 1, 9, 19 and 21, respectively. Therefore, such claims would have been obvious as stated in the final office action.

Response to Arguments

6. Applicant's arguments filed 04/23/2004 have been fully considered but they are not persuasive.

Applicant contends that APA fails to teach or suggest each and every feature recite in the claims such as a method that include, among other features “depositing and crystallizing amorphous silicon on the substrate to form a driver directly on the substrate in the second region; and depositing and crystallizing amorphous silicon on the substrate to form a control unit directly on the substrate in the third region, wherein the pixel array, driver and control unit are formed simultaneously”. Applicant has been noted that, as in a notice of non-responsive dated 10/18/2002 and during the telephone interview

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thereafter, the applicant cannot file an RCE to obtain continued examination on the basis of claims that are independent and distinct from the claims previously claimed and examined as a matter of right (i.e., applicant cannot switch inventions) (see 37 CFR 1.145), since a request for RCE filed under 35 USC 132 (b) and 35 USC CFR 1.14 is not a new application (it is a submission in a previously file application). In particular, the original claims are recited an LCD apparatus instead of the method claims of forming an LCD device as shown in the amended claims. Therefore, such above claims has been treated as ● device claims. In other words, all method limitations in the current claims have not been given patentable weight.

Accordingly, the rejection of the above claims stand.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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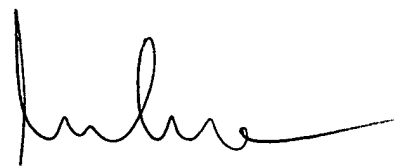
advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN
07/23/2004



Dung Nguyen
Primary Examiner
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